

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

APPLICANT(S) Joe W. Gray, et al.  
PATENT NO.: 7,115,709  
ISSUE DATE: October 3, 2006  
SERIAL NO.: 08/487,701  
FILING DATE: June 7, 1995  
TITLE: Methods of Staining Target Chromosomal DNA Employing High  
Complexity Nucleic Acid Probes  
ATTY. DKT. NO.: 23540-15330

**CERTIFICATE OF ELECTRONIC (EFS-WEB) TRANSMISSION**

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with 37 C.F.R. § 1.8(a)(i)(C) from the Pacific Time Zone of the United States on the local date shown below.

Dated: March 18, 2009

By: \_\_\_\_\_ / Narinder Banait /

Narinder S. Banait, Reg. No. 43,482

MAIL STOP PETITION  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**Petition Under 37 CFR 1.324 for Correction of Inventorship in Patent**  
**Pursuant to 35 U.S.C. 256**

SIR:

Pursuant to 37 CFR 1.324 petitioner respectfully Petitions for Correction of Inventorship pursuant to 35 U.S.C. 256. Petitioner requests that Olli-Pekka Kallioniemi, Anne Kallioniemi and Masaru Sakamoto be deleted as inventors to the above referenced US patent.

In support of this petition attached hereto is (a) a statement from each of the inventors stating that they have no disagreement regarding the change, pursuant to 37 CFR 1.324(b)(2), and (b) a statement from the assignee pursuant to 37 CFR 1.324(b)(3). In addition, evidence of assignee's ownership of the above referenced patent in the form of a statement under 37 CFR 3.73(b) is attached.

**PATENT**

In addition, submitted herewith is a fee of \$130 as set forth in 37 CFR 1.20(b). If any additional fees are required for this submission, such fees are hereby authorized to be charged to Deposit Account 19-2555.

Petitioner hereby requests favorable consideration of this petition.

Respectfully submitted,  
The Regents of the University of California

Dated: March 18, 2009 \_\_\_\_\_

By: /Narinder Banait/ \_\_\_\_\_  
Narinder S. Banait, Reg. No. 43,482  
Fenwick & West LLP  
Silicon Valley Center  
801 California Street  
Mountain View, CA 94041  
Tel. (650) 335-7818  
Fax (650) 938-5200

**PATENT**

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**STATEMENT FROM ASSIGNEE PURSUANT TO 37 CFR §1.324(b)(3)**

SIR:

The undersigned represents the sole assignee of U.S. Patent 7,115,709. The entire right, title, and interest in and to U.S. Patent No. 7,115,709 is vested in The Regents of the University of California, Oakland, California, by virtue of an assignment from Joe W. Gray, Daniel Pinkel, Olli-Pekka Kallioniemi, Anne Kakhioniemi, and Masaru Sakamoto recorded at Reel 5691, Frame 0736, for U.S. application Serial No. 07/670,242, filed March 15, 1991, now abandoned, from which this application continues. An assignment from Joe W. Gray, Daniel Pinkel, Olli-Pekka Kallioniemi, Anne Kakhioniemi, and Masaru Sakamoto is recorded at Reel 5755, Frame 0021, for U.S. application Serial No. 07/659,974, filed February 22, 1991, now abandoned. An assignment from Joe W. Gray, Daniel Pinkel, and Douglas Tkachuk is recorded at Reel 5650,

## PATENT

Frame 0655, for U.S. application Serial No. 07/537,305, filed June 12, 1990, now abandoned. An assignment from Joe W. Gray, Daniel Pinkel, and Douglas Tkachuk is recorded at Reel 5515, Frame 0460, for U.S. application Serial No. 07/497,098, filed March 20, 1990, now abandoned. An assignment from Joe W. Gray and Daniel Pinkel is recorded at Reel 5198, Frame 0430, for U.S. application Serial No. 07/444,669, filed December 01, 1989, now abandoned. An assignment from Joe W. Gray and Daniel Pinkel to the United States of America, as represented by the Department of Energy is recorded at Reel 4707, Frame 0589, for U.S. application Serial No. 06/937,793, filed December 04, 1986, now abandoned, and an assignment from The Department of Energy to The Regents of the University of California recorded at Reel 4850, Frame 0740 for U.S. Serial No. 06/937,793. In addition, an assignment from Joe W. Gray and Daniel Pinkel to the United States of America, as represented by the Department of Energy recorded at Reel 4561, Frame 0126, for U.S. application Serial No. 06/819,314, filed Jan. 16, 1986, now abandoned, and an assignment from The Department of Energy to The Regents of the University of California recorded at Reel 4850, Frame 0887 for U.S. Serial No. 06/819,314, from which priority is ultimately claimed.

The assignee agrees to the change in inventorship of deleting Olli-Pekka Kallioniemi, Anne Kallioniemi, and Masaru Sakamoto as an inventors to U.S. Patent 7,115,709.

Respectfully submitted,  
The Regents of the University of California

Dated: March 18, 2009 \_\_\_\_\_

By: /Narinder Banait/ \_\_\_\_\_  
Narinder S. Banait, Reg. No. 43,482  
Fenwick & West LLP  
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801 California Street  
Mountain View, CA 94041  
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Dated: March 18/09 By: Narinder S. Banail  
Narinder S. Banail, Reg. No. 43,482

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**STATEMENT FROM MASARU SAKAMOTO PURSUANT TO 37 CFR 81.324(b)(2)**

SIR:

I am a named inventor for U.S. Patent 7,115,709 and I do not have disagreement in regard to the requested change in inventorship for this patent.

Respectfully submitted,

Dated: March 12, 2009By: Masaru Sakamoto

Masaru Sakamoto

**PATENT****IN THE UNITED STATES  
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Dated: March 18/2009 By: / Narinder Banait/  
Narinder S. Banait, Reg. No. 43,482

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ALEXANDRIA, VA 22313-1450

**STATEMENT FROM DR. DANIEL PINKEL PURSUANT TO 37 CFR §1.324(b)(2)**

SIR:

I am a named inventor for U.S. Patent 7,115,709 and I do not have disagreement in regard to the requested change in inventorship for this patent.

Respectfully submitted,

Dated: 3-12-09

By: 

Dr. Daniel Pinkel

PATENT

IN THE UNITED STATES  
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Dated: March 18/2009

By: /Narinder Banait/  
Narinder S. Banait, Reg. No. 43,482

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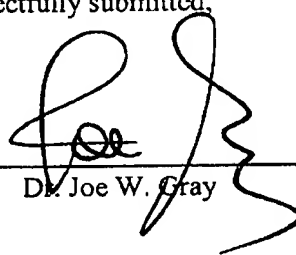
**STATEMENT FROM DR. JOE GRAY PURSUANT TO 37 CFR §1.324(b)(2)**

SIR:

I am a named inventor for U.S. Patent 7,115,70 and I do not have disagreement in regard to the requested change in inventorship for this patent.

Respectfully submitted,

Dated: 3/17/09

By:   
Dr. Joe W. Gray

**PATENT**

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Dated: 3/18/09 By: Narinder S. Banait  
Narinder S. Banait, Reg. No. 43,482

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**STATEMENT FROM ANNE KALLIONIEMI PURSUANT TO 37 CFR §1.324(b)(2)**

SIR:

I am a named inventor for U.S. Patent 7,115,709 and I do not have disagreement in regard to the requested change in inventorship for this patent.

Respectfully submitted,

Dated: March 4, 2009

By: Anne Kallioniemi  
Anne Kallioniemi



**PATENT**

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**STATEMENT FROM OLLI-PEKKA KALLIONIEMI PURSUANT TO 37 CFR  
§1.324(b)(2)**

SIR:

I am a named inventor for U.S. Patent 7,115,709 and I do not have disagreement in regard to the requested change in inventorship for this patent.

Respectfully submitted,

Dated: Feb 27, 2007

By: Olli-Pekka Kallioniemi  
Olli-Pekka Kallioniemi